



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

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(Red)

JAN 31 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
REQUEST FOR INFORMATION

Mr. Harold Michael

(b) (6)

Re: Rodgers Electric Site, Cheverly, Maryland

Dear Mr. Michael:

The U.S. Environmental Protection Agency (EPA) is seeking information concerning a release, or the threat of release, of hazardous substances, pollutants or contaminants into the environment at the above referenced site. Pursuant to the authority of Section 3007(a) of the Resource Conservation and Recovery Act, as amended ("RCRA"), 42 U.S.C. Section 6927(a), and Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), the National Gallery of Art is required to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of its employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), pollutants, contaminants, and/or hazardous wastes as defined by Section 1004(5) of RCRA, 42 U.S.C. Section 6903(5), which were transported to, stored, treated, or disposed of at the above referenced Site or the surrounding area.

The provisions in Section 104 of CERCLA, 42 U.S.C. Section 9604 and Section 3008 of RCRA, 42 U.S.C. Section 6928, authorize EPA to pursue penalties for failure to comply with these sections or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under the Criminal Fines Enforcement Act, 18 U.S.C. Section 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

Instructions for responding to this required submission of information are provided below. Please respond for all materials which are potentially hazardous as well as the hazardous substances, pollutants and contaminants previously specified in this letter.

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As used herein, the term "documents" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

All information and documents requested are due to the address listed below within ten (10) business days of receipt of this letter.

The response should include, but not be limited to, information and documentation concerning:

1. Provide all information and documentation regarding all dealings between the National Gallery of Art and Rodgers Electric located in Cheverly, MD. Your response should include but not be limited to any contracts and/or bills of sale or invoices between Rodgers Electric and the National Gallery of Art.

You are entitled to assert a claim of business confidentiality covering any part or all of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you.

Please respond in writing to this required submission of information within 10 business days of your receipt of this letter.

All documents and information should be sent to:

Terry A. Stilman, On-Scene Coordinator
U.S. Environmental Protection Agency
Removal Enforcement Section [3HW33]
841 Chestnut Building
Philadelphia, Pennsylvania 19107

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

If you have any questions concerning this letter, please contact Mr. Stilman at (215) 597-6680.

Sincerely,



Dennis P. Carney, Chief
Superfund Removal Branch

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